

Application No. 09/997,790

REMARKS**Double Patenting Rejection.**

2-3. The Office Action stated that "Claims 1-5, 10-15, and 37-42 are
5 provisionally rejected under the judicially created doctrine of obviousness-type
double patenting as being unpatentable over claims 1, 5, 7, 9-12 and 20-28 of
copending Application No. 09/997,790. Although the conflicting claims are not
identical, they are not patentably distinct from each other because they claim the
same subject matter. This is a provisional obviousness-type double patenting
10 rejection because the conflicting claims have not in fact been patented."

The Office Action also stated that "a timely filed terminal disclaimer in
compliance with 37 CFR 1.321(c) may be used to overcome an actual or
provisional rejection based on a nonstatutory double patenting ground provided
15 the conflicting application or patent is shown to be commonly owned with this
application."

Applicant notes that Application No. 09/997,790 refers to the present Application.
Applicant therefore communicated this to the Examiner on 22 December 2005,
20 and has hence received clarification from the Examiner that the copending
Application in question is Application No. 09/782,011.

Applicant therefore submits herein a properly filed terminal disclaimer in
compliance with 37 CFR 1.321(c), and authorizes payment of fee to be charged
25 to Glenn Patent Group Deposit Account No. 07-1445, Customer No. 22862, in
accordance with 37 CFR 1.20 (d).

35 U.S.C. § 102. Claim Rejections.

4-14. The Office Action states that Claims 1-42 are rejected under 35 U.S.C.
30 §102(e) as being anticipated by Ahmad (US Pat. No. 6,029,258).

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Applicant respectfully notes that the Office Action Summary notes, in regard to the disposition of the Claims, that Claims 1-41 are currently pending and are rejected. Applicant also respectfully notes that new dependent Claims were entered in the Preliminary Amendment of 22 July 2005. As noted above, if any fees are due in this regard, the Commissioner is authorized to charge fees due to the Glenn Patent Group Deposit Account No. 07-1445, Customer No. 22862.

Regarding Claim 1, the Office Action states that "Ahmad discloses a method for inspecting any of the properties of a computer, the computer's configuration, contents of the computer's storage devices, the computer's peripherals, and the computer's environment, comprising the steps of:

Providing at least one inspector library at the computer, the at least one inspector library comprising at least one inspector and associated methods and evaluating subexpressions at the computer with the at least one inspector [Ahmad, col. 7, line 59 – col. 8, line 26 and col. 10, lines 30-43];

Performing with the inspector at the computer any of mathematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of storage devices, and querying devices or remote computers to inspect any of the properties of the computer, the computer's configuration, contents of the computer's storage devices, the computer's peripherals, and the computer's environment [Ahmad, col. 8, lines 27-49 and col. 9, lines 44-63]."

Regarding Claims 10-41, the Examiner stated that "claims 10-41 have similar limitations as claims 1-9. Therefore, they are rejected under Ahmad for the same reasons set forth in the rejection of claims 1-9 [Supra 1-9]."

Hilton Davis / Festo Statement

Applicant has amended Claims 1, 10, 37, 40, 41 and 42, for convenience in prosecution, and reserves the right to present the same or similar claims in a related Application. The amendments herein were not made for any reason related to patentability.

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Applicant has amended independent Claim 1, to claim a method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said
5 computer's environment, comprising the steps of:

providing at least one inspector library at said computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more advisories from an advice provider to said computer, wherein said advisories are sent regardless of relevance to said computer;

10 performing an inspection with said inspector at said computer, the inspection comprising any of mathematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of storage devices, and querying devices or remote computers to inspect any of said properties of said computer, said computer's configuration, contents of said
15 computer's storage devices, said computer's peripherals, and said computer's environment; and

locally determining relevance at said computer of said received advisories, said relevance based on said results of said performed inspection.

20 Support is seen in the Application as filed, at least on page 5, line 20 to page 6, line 26; on page 7, line 21 to page 8, line 7; on page 14, line 1 to page 16, line 17; on page 19, line 6 to page 21, line 11; on page 22, lines 5 to page 23, line 7; on page 29, line 1 to page 30, line 14; on page 32, line 20 to page 33, line 23; on page 35, line 1 to page 36, line 3; on page 37, lines 14-19; on page 38, line 10 to
25 page 40, line 5; on page 41, line 22 to page 42, line 2; on page 44, line 23 to page 46, line 5; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; in Claims 1, 10, 37, 40 and 41; and in Figures 2, 3, 6-17 and 21-24.

30 Applicant has amended independent Claim 10, to claim an apparatus, comprising:

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means for receiving advisories at a computer from an advice provider, wherein the advisories are sent regardless of relevance to said computer; and

inspector library for performing an inspection any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, said
5 inspector library comprising

at least one inspector at said computer which is invoked as part of a continual relevance evaluation process; and

one or more inspector methods for performing at said computer
10 any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of storage devices, and querying devices or remote computers to inspect any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals,
15 and said computer's environment;

wherein said continual relevance evaluation process locally determines relevance at said computer of said received advisories in regard to the results of said performed inspection.

20 Support is seen in the Application as filed, at least on page 5, line 20 to page 6, line 26; on page 7, line 21 to page 8, line 7; on page 14, line 1 to page 16, line 17; on page 19, line 6 to page 21, line 11; on page 22, lines 5 to page 23, line 7; on page 29, line 1 to page 30, line 14; on page 32, line 20 to page 33, line 23; on page 35, line 1 to page 36, line 3; on page 37, lines 14-19; on page 38, line 10 to
25 page 40, line 5; on page 41, line 22 to page 42, line 2; on page 44, line 23 to page 46, line 5; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; in Claims 1, 10, 37, 40 and 41; and in Figures 2, 3, 6-17 and 21-24.

30 Applicant has amended independent Claim 37, to claim, in a system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an advice provider to an

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advice consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, said advice provider for broadcasting said advice in the form of advisories, said advice consumer for receiving said advisories, wherein advisories are broadcast over

5 said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are relevant, and an inspector dispatcher associated with an advice client computer for any of continuously and

10 at scheduled intervals performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector library, comprising:

- at least one inspector located at said advice client computer; and
- associated methods for evaluating subexpressions with said at least one

15 inspector at said advice client computer;

- wherein said inspector library is invoked by said inspector dispatcher as part of said relevance determination process;
- wherein said inspector performs at said advice client computer any of mathematico-logical calculations, executes computational algorithms, returns the

20 results of system calls, accesses the contents of storage devices, and queries devices or remote computers; and

- wherein said advice consumer maintains anonymity, privacy, and security by not revealing to said advice provider either that said advice consumer is interested in advice from said advice provider, that said advice consumer has

25 received any particular advice, or that said advice is relevant to said advice consumer.

Support is seen in the Application as filed, at least on Page 5, lines 13-18; on page 6, line 4 to page 8, line 19; on page 17, line 12 to page 20, line 5; on page

30 22, lines 5-11; on page 24, line 16 to page 28, line 25; on page 31, lines 14-21; on page 32, line 20 to page 33, line 14; on page 35, line 1 to page 36, line 3; on page 37, lines 14-19; on page 38, line 10 to page 39, line 1; on page 41, line 22

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to page 42, line 2; on page 44, line 23 to page 46, line 5; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; on page 111, line 18 to page 113, line 9; on page 137, lines 11-16; on page 168, line 28 to page 174, line 18; and in
5 Figures 1-3, 6-17 and 21-24.

Applicant has amended Independent Claim 40, to claim a method for inspecting a computer at a remote location any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said
10 computer's peripherals, and said computer's environment, comprising the steps of:

 sending one or more relevance clauses to said computer at said remote location regardless of relevance of said relevance clauses to said computer;
 providing at least one inspector library at said computer at said remote
15 location, said at least one inspector library comprising at least one inspector and associated methods;
 locally evaluating relevance of said one or more relevance clauses with said at least one inspector at said computer at said remote location; and
 returning relevance evaluation results from said computer at said remote
20 location after a user of said computer is made aware of what is being transferred.

Support is seen in the Application as filed, at least on page 7, line 21 to page 9, line 2; on page 29, lines 12-16; on page 41, line 22 to page 42, line 2; on page
25 44, line 23 to page 47, line 21; on page 62, line 19 to page 64, line 18; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; and in Figures 2, 3, 6, 7-10, 11-17 and 21-24.

30 Applicant has amended independent Claim 41, to claim, in a system comprising a master computer, a slave computer, and a plurality of advisories comprising relevance clauses, a method comprising the steps of:

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providing a slave relevance evaluator and at least one inspector library at said slave computer, said at least one inspector library comprising at least one inspector and associated methods;

5 sending one or more of said relevance clauses from said master computer to said slave computer regardless of relevance of said relevance clauses to said slave computer;

10 locally evaluating relevance of said relevance clauses at said slave computer with said at least one inspector in regard to any of the properties of said slave computer, said slave computer's configuration, contents of said slave computer's storage devices, said slave computer's peripherals, and said slave computer's environment; and

15 transmitting said evaluated relevances of said relevance clauses from the slave computer to said master computer as managed through said master computer.

Applicant has also amended Claim 42, to claim the method of Claim 41, wherein said advisories further comprise actions associated with at least one relevance clause, the method further comprising the steps of:

20 sending said actions from said master computer to said slave computer; presenting said relevance clauses that are determined to be relevant based on said transmitted evaluated relevances to an administrative user at said master computer;

25 conditionally relaying from said master computer to said slave computer one or more of said actions associated with said relevance clauses that are determined to be relevant, based on acceptance of said actions by said administrative user; and

30 conditionally automatically implementing at said slave computer one or more of said actions associated with said relevance clauses that are determined to be relevant, based on an acceptance of said actions by said administrative user.

Support for Claim 41 and Claim 42 is seen in the Application as filed, at least on page 7, line 21 to page 9, line 2; on page 29, lines 12-16; on page 41, line 22 to

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page 42, line 2; on page 44, line 23 to page 46, line 5; on page 62, line 19 to page 64, line 18; on page 73, lines 10-26; on page 79, line 20 to page 81, line 19; on page 82, line 12 to page 83, line 4; on page 84, line 8 to page 106, line 18; on page 254, line 10 to page 258, line 17; and in Figures 2, 3, 6, 7-10, 11-17
5 and 25.

Ahmad describes a method for trouble shooting and correcting computer software problems, as seen at least in the Abstract, wherein:

10 "A method and system for trouble shooting and correcting computer software problems. A Trouble Shooting System is launched onto a computer when a user of a software application encounters a problem during use of that software application. The Trouble Shooting System includes a Character Interface, a Trouble Shooting Program, and an
15 Internet-based Trouble Shooting site and server. The Character Interface allows the user to select from a menu of problems, or the user may type into the Character Interface a natural language string to identify the problem. The Trouble Shooting Program generates offset values corresponding to the problem identified by the user. The Trouble Shooting
20 program uses the offset values to locate problem solutions in an Information Store of problem solutions. The problem solutions located in the Information Store are passed to the user for implementation of a correction of the problem. If no solution is found in the Information Store, the Trouble Shooting Program may connect the user's computer to the
25 remote Internet-based Trouble Shooting site and server to obtain and download additional problem solutions and tools to the Information Store on the user's computer. If a solution to the problem continues to evade the user, the Trouble Shooting Program then may recommend that the user contact the product support services of the provider of the user's
30 malfunctioning software application."

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Applicant therefore respectfully submits that in Ahmad, a trouble shooting system is typically launched "when a user of a software application encounters a problem during use of that software application". The user is then required to select and/or identify the encountered problem. The described system then
5 generates "offset values" corresponding to problem entered by the user, and uses the generated values to locate solutions across a network. Located solutions are then passed to user for implementation.

As also described by Ahmad, if "no solution is found in the Information Store, the
10 Trouble Shooting Program may connect the user's computer to the remote Internet-based Trouble Shooting site and server to obtain and download additional problem solutions and tools to the Information Store on the user's computer".

15 Ahmad describes details regarding a Trouble Shooting System (TSS) 100, as seen at least in Col. 7, line 59 to col. 8, line 26, wherein:

"As briefly discussed above, this invention is directed to a method and system for trouble shooting and correcting problems encountered by
20 users of various software applications. Referring now to FIGS. 1, 2, and 3, the Trouble Shooting System (TSS) 100 of the present invention includes a Trouble Shooting Program (TSP) 110, a Character Interface (CI) 150, and an Internet-based Trouble Shooting site 75A. In general when a user encounters some problem with a particular software program 120, such as
25 a print function error, the user may utilize the TSS 100 to assist in identifying and correcting the problem.

In order to utilize the TSS 100, the user typically launches the TSP 110 onto the user's computer 20. Using the CI 150, the TSP 110 obtains information about the software problem from the user. As will be
30 discussed below, the TSP 110 may also obtain information about the software program 120 directly from the software program via communication between the TSP 110 and the application program

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interfaces (API) of the software program. In the case where the TSP 110 obtains information from the user, the TSP 110, through the CI 150, may provide the user with a menu of typical problems to choose from. In an exemplary embodiment, the user may type a natural language string in response to a TSP 110 inquiry. In the latter situation, the TSP 110 sends the natural language string to a Trouble Shooting Engine (TSE) 160, which is a component of the TSP 110, as illustrated in FIG. 3.

The TSE 160 parses the natural language string and generates a list of offset values corresponding to the problem encountered by the user. The offset values are then passed to an Information Store (IS) 200 where the offset values are used to locate solution information associated with the problem encountered by the user. The TSP 110 uses the problem solution information located in the IS 200 to effect corrections to the software 120, as described above."

Applicant therefore submits that, in some embodiments as described by Ahmad, a user is required to launch the Trouble Shooting Program (TSP) (110), and is required to enter and/or select a problem. In other embodiments as described by Ahmad, the TSP (110) obtains information directly from a problematic program.

Further details of the Trouble Shooting System (TSS) 100, as described by Ahmad, are seen at least in Col. 10, lines 30-43, wherein:

"As briefly discussed above, implementation of the TSS 100 is primarily effected on the user's computer 20 through the CI 150 and the TSP 110. As will be understood by those skilled in the art, the CI 150 is a user interface which allows the user to communicate a problem or error encountered by the user to the TSP 110. In an exemplary embodiment, the CI 150 is downloaded onto the user's computer 20 from the server 80a via the Internet, as described above, as a part of the TSS 100. The CI 150 is preferably implemented as a dynamic-link library module (DLL) or as an Active X/OLE module. These types of modules are well known to

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those skilled in the art as modules that serve a specific function or set of functions and which may be launched only when needed by a program that calls them."

- 5 Applicant therefore submits that, in the embodiment as described above by Ahmad, a user is typically required to communicate a problem or error encountered by the user to the TSP 110, through the user interface CI (150).

- Details regarding attempts to locate problem solution information is described by
10 Ahmad, at least in Col. 8, lines 27-49, wherein:

15 "When the TSP 110 attempts to locate problem solution information in the IS 200, as described above, the TSP 110 may determine the offset values provided by the TSE 160 do not correspond to a data location contained in the IS 200. Alternatively, the problem solution information located in the IS 200 may not be effective in correcting the problem encountered by the user. If either such event arises, the TSP 110 may request permission from the user to connect the user to the Internet-based Trouble Shooting site 75a. The TSP 110 may update the IS 200 database with information
20 contained in and downloaded from a corresponding Information Store database 300 resident on a Trouble Shooting Server 80a located at the Trouble Shooting site 75a.

25 Once the TSP 110 receives the required information, it may then effect the changes or instruct the user, as discussed above. If no acceptable solution is found via the Internet-based Information Store 300, or if the user does not give permission to the TSP 110 to connect the user to the Internet site, or if the user does not have Internet capabilities, the TSP 110 will instruct the user to contact a service provider, such as the provider of the malfunctioning software application to discuss the problem
30 with product support services personnel."

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Applicant therefore respectfully submits, in regard to Ahmad, that if an attempt to locate problem solution information is not effective in correcting a problem encountered by the user, the "TSP 110 may request permission from the user to connect the user to the Internet-based Trouble Shooting site 75a".

5

Applicant therefore submits that a user in Ahmad is typically required to be an active participant in the process of noting an encountered problem, of identifying or otherwise communicating the encountered problem, and if problem solution information is not found, the user is also typically connected to an Internet-based Trouble Shooting site 75a, and/or is instructed to "contact a service provider, such as the provider of the malfunctioning software application to discuss the problem with product support services personnel."

10

Further details regarding the Trouble Shooting System (TSS) 100, as described by Ahmad, are seen at least in Col. 9, lines 44-63, wherein:

15

"Corruption and version testing includes testing the integrity of a particular application or file in terms of parity and/or file size. That is, the TSS 100 may be used to quickly identify file or application corruption, by effecting a parity check or file size check. For version testing, componentized software applications typically have several components that may be separately installed. For example, a version of a particular word processor may contain a component for translating Arabic to English. If the user attempts to translate Arabic into English and receives an error condition, the TSS 100 may be used to search for the existence of the proper version of the word processor. That is, the TSS 100 can be used to determine that the version of the word processor employed by the user is prior to the version which contains the component for translating Arabic to English.

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OLE Automation framework trouble shooting includes identification and correction of problems with particular software applications where

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those applications are unable to perform required tasks, for example, printing to an alternate paper orientation."

Applicant submits that, while the Trouble Shooting System (TSS) 100 described by Ahmad provides testing of files, applications and/or versions, Ahmad is silent in regard to sending one or more advisories from an advice provider to the computer, wherein the advisories are sent regardless of relevance to the computer, and locally determining relevance at the computer of such received advisories, wherein relevance based on results of an inspection performed at the computer.

Further details of the Trouble Shooting System (TSS) (100), in regard user input and attempts by the TSP (110) to find further information across the network at the IS (200), as described by Ahmad, are seen at least in Col. 16, line 52 to col. 17, line 9, wherein:

"However, in the present example, the user responds indicating that the printer does have paper which renders the problem solution offered by the TSP 110 unacceptable to correct the problem encountered by the user. At Step 685, a return value corresponding to the user's response causes the TSP 110 to return to the IS 200 for more information. At decision Step 687, the TSP 110 checks the data location 118 in the IS 200 for additional problem solutions. If additional problem solutions are available, the method follows the "YES" branch back to Step 675 and passes the additional problem solutions to the user.

In the present example, the TSP 110 finds no additional problem solutions in the IS 200. Accordingly, at Step 690, the TSP 110 returns a recommendation to the user that the user allow the TSP 110 to connect the user's computer 20 to the Internet-based Trouble Shooting site 75A to receive an update of the information contained in the IS 200 from the Internet-based Information Store 300 resident on the Trouble Shooting server 80A. If the user declines to be connected to the Internet-based

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Trouble Shooting site 75A, or if the user's computer 20 does not have Internet capabilities, the method follows the "NO" branch to step 695, where the TSP 110 recommends that the user contact the product support services of the provider of the user's word processing application."

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Applicant therefore submits that a user in Ahmad is further required to be an active participant in the process of noting an encountered problem, of identifying or otherwise communicating the encountered problem, and if problem solution information is not found, the user is also typically connected to an Internet-based

10 Trouble Shooting site 75a, and/or is instructed to "contact the product support services."

Applicant therefore respectfully submits that Ahmad fails to teach or suggest the present invention, as claimed in Claim 1, 10, 37, 40, and 41, as amended.

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In regard to Claim 1, as amended, Ahmad fails to teach or suggest a method for inspecting any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, comprising the steps of:

20 providing at least one inspector library at said computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more advisories from an advice provider to said computer, wherein said advisories are sent regardless of relevance to said computer;

25 performing an inspection with said inspector at said computer, the inspection comprising any of mathematico-logical calculations, executing computational algorithms, returning results of system calls, accessing contents of storage devices, and querying devices or remote computers to inspect any of said properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's
30 environment; and

locally determining relevance at said computer of said received advisories, said relevance based on said results of said performed inspection.

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In regard to Claim 10, as amended, Ahmad fails to teach or suggest, an apparatus, comprising:

- means for receiving advisories at a computer from an advice provider,
5 wherein the advisories are sent regardless of relevance to said computer; and
inspector library for performing an inspection any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, said inspector library comprising
10 at least one inspector at said computer which is invoked as part of a continual relevance evaluation process; and
one or more inspector methods for performing at said computer any of mathematico-logical calculations, executing computational algorithms, returning the results of system calls, accessing the contents of
15 storage devices, and querying devices or remote computers to inspect any of the properties of a computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment;
wherein said continual relevance evaluation process locally determines
20 relevance at said computer of said received advisories in regard to the results of said performed inspection.

For example, in regard to Claim 1 and Claim 10, as amended, advisories are sent from an advice provider to the computer, wherein the advisories are sent
25 regardless of relevance to the computer. Relevance of the received advisories is locally determining at the computer, wherein the relevance is based on results of an inspection performed at the computer.

In contrast to Claim 1 and Claim 10, as amended, Ahmad typically requires that
30 a user identify or select a perceived problem, after which the system of Ahmad looks to an information store IS (200) across a network to find appropriate information based in the perceived problem identified or selected by the user.

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While some embodiments of the Trouble Shooting System (TSS) 100 described by Ahmad provide testing of files, applications and/or versions, Ahmad is silent in regard to sending one or more advisories from an advice provider to the
5 computer, wherein the advisories are sent regardless of relevance to the computer, and locally determining relevance at the computer of such received advisories, wherein relevance based on results of an inspection performed at the computer.

10 Therefore, Ahmad fails to meet Claim 1 and Claim 10, as amended. It would take significant modification and undue experimentation to meet Claim 1 and Claim 10, as amended.

In regard to Claim 37, as amended, Ahmad does not teach or suggest, in a
15 system including computational devices connected by a communications network, said system comprising a communications apparatus for linking an advice provider to an advice consumer, said communications apparatus comprising specific units of advice to be shared, digital documents conveying said advice, said advice provider for broadcasting said advice in the form of
20 advisories, said advice consumer for receiving said advisories, wherein advisories are broadcast over said communications network from said advice provider to said advice consumer, a communications protocol for narrowly-focused targeting of said advisories to said advice consumer by automatically matching advisories with an advice consumer for whom said advisories are
25 relevant, and an inspector dispatcher associated with an advice client computer for any of continuously and at scheduled intervals performing relevance determination, wherein said relevance determination is driven by a database of relevance clauses which can be continually evaluated, at least one inspector library, comprising:

30 at least one inspector located at said advice client computer; and
associated methods for evaluating subexpressions with said at least one inspector at said advice client computer;

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wherein said inspector library is invoked by said inspector dispatcher as part of said relevance determination process;

wherein said inspector performs at said advice client computer any of mathematically-logical calculations, executes computational algorithms, returns the results of system calls, accesses the contents of storage devices, and queries devices or remote computers; and

wherein said advice consumer maintains anonymity, privacy, and security by not revealing to said advice provider either that said advice consumer is interested in advice from said advice provider, that said advice consumer has received any particular advice, or that said advice is relevant to said advice consumer.

In contrast, as described above, a user in Ahmad is typically required to be an active participant in the process of noting an encountered problem, of identifying or otherwise communicating the encountered problem, and if problem solution information is not found, the user is also typically connected to an Internet-based Trouble Shooting site 75a, and/or is instructed to "contact a service provider, such as the provider of the malfunctioning software application to discuss the problem with product support services personnel."

Therefore, Ahmad fails to meet Claim 37, as amended. It would take significant modification and undue experimentation to meet Claim 37, as amended.

In regard to Claim 40, as amended, Ahmad fails to teach or suggest, a method for inspecting a computer at a remote location any of the properties of said computer, said computer's configuration, contents of said computer's storage devices, said computer's peripherals, and said computer's environment, comprising the steps of:

sending one or more relevance clauses to said computer at said remote location regardless of relevance of said relevance clauses to said computer;

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providing at least one inspector library at said computer at said remote location, said at least one inspector library comprising at least one inspector and associated methods;

5 locally evaluating relevance of said one or more relevance clauses with said at least one Inspector at said computer at said remote location; and

returning relevance evaluation results from said computer at said remote location after a user of said computer is made aware of what is being transferred.

10 While some embodiments of the Trouble Shooting System (TSS) 100 described by Ahmad provide testing of files, applications and/or versions, Ahmad is silent in regard to sending one or more relevance clauses to a computer at a remote location, wherein the relevance clauses are sent regardless of relevance to the computer, locally evaluating relevance at the computer with an inspector, and
15 returning relevance evaluation results from the computer at the remote location after a user of said computer is made aware of what is being transferred.

Therefore, Ahmad fails to meet Claim 40, as amended. It would take significant modification and undue experimentation to meet Claim 40, as amended.

20

In regard to Claim 41, as amended, Ahmad fails to teach or suggest, in a system comprising a master computer, a slave computer, and a plurality of advisories comprising relevance clauses, a method comprising the steps of:

25 providing a slave relevance evaluator and at least one inspector library at said slave computer, said at least one inspector library comprising at least one inspector and associated methods;

sending one or more of said relevance clauses from said master computer to said slave computer regardless of relevance of said relevance clauses to said slave computer;

30 locally evaluating relevance of said relevance clauses at said slave computer with said at least one inspector in regard to any of the properties of said slave computer, said slave computer's configuration, contents of said slave

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computer's storage devices, said slave computer's peripherals, and said slave computer's environment; and

transmitting said evaluated relevances of said relevance clauses from the slave computer to said master computer as managed through said master
5 computer.

Therefore, Ahmad fails to meet Claim 41, as amended. It would take significant modification and undue experimentation to meet Claim 41, as amended.

Furthermore, in regard to Claim 42 as amended, Ahmad fails to teach or suggest the method of Claim 41, wherein said advisories further comprise actions associated with at least one relevance clause, the method further comprising the steps of:

15 sending said actions from said master computer to said slave computer;
presenting said relevance clauses that are determined to be relevant based on said transmitted evaluated relevances to an administrative user at said master computer; and

20 conditionally automatically implementing at said slave computer one or more of said actions associated with said relevance clauses that are determined to be relevant, based on an acceptance of said actions by said administrative user.

Therefore, Ahmad fails to meet Claim 42, as amended. It would take significant
25 modification and undue experimentation to meet Claim 42, as amended.

Applicant therefore submits that Claims 1, 10, 37, 40, 41 and 42 as amended, overcome the rejections under 35 U.S.C. §102(e) as being anticipated by Ahmad (US Pat. No. 6,029,258).

30 The Examiner bears the burden of establishing a *prima facie* case of anticipation (In re King, 801 F.2d 1324, 1327, 231 USPQ 136, 138-139 (Fed. Cir. 1986)).

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The prior art reference must disclose each element of the claimed invention, as correctly interpreted, and as arranged in the claim (Lindermann Maschinefabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim (MPEP 2131).

As Claims 2-9 and 43 depend from Claim 1, as Claims 11-36 and 44 depend from Claim 10, as Claims 38 and 39 depend from Claim 37, as Claim 45 depends from Claim 40, and as Claim 42 depends from Claim 41, and inherently include all the limitations of the Claims from which they depend, Claims 2-9, 11-36, 38, 39 and 42-45 are seen to be patentable as well.


15 Other Amendments. Applicant has amended the Specification to correct a minor error. Applicant has also amended Claims 13 and 15, to provide proper antecedent terminology.

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CONCLUSION

Applicant respectfully submits that Claim 1-45, as amended, overcome the rejections set forth in the Office Action. Applicant also submits that the amendments do not introduce new matter into the Application. Based on the foregoing, Applicant considers the invention to be in condition for allowance. Applicant earnestly solicits the Examiner's withdrawal of the rejections set forth in the referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States Patent.

Respectfully Submitted,



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